

HOUSE BUDGET & RESEARCH OFFICE

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TOMORROW'S FORECAST

* Due to severe weather, the House has suspended all business until further notice.



GEORGIA HOUSE OF REPRESENTATIVES

Tuesday, January 28, 2014

11th Legislative Day

DAILY REPORT

2014

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TODAY ON THE FLOOR

There were no bills debated on the floor of the House today.

** The House will reconvene upon further notice made by the Speaker of the House*

COMMITTEE ON RULES

The Committee on Rules has fixed the calendar for the next legislative day of House business and bills may be called at the pleasure of the Speaker.

NEXT ON THE FLOOR

HB 176 - Mobile Broadband Infrastructure Leads to Development (BILD) Act; enact

- BILL SUMMARY: House bill 176 is known as the "Mobile Broadband Infrastructure Leads to Development (BILD) Act." The legislation will allow previously approved wireless support structures and wireless facilities to be modified or collocated without additional zoning or land use review beyond that which is typically required by the local governing authority for the issuance of building or electrical permits, as long as the proposed modifications do not substantially change the size of the existing structures. Limitations on the time allowed for review of new wireless facilities and fees charged for such by local governing authorities are outlined as well.

- **Authored By:** Rep. Don Parsons of the 44th
- **House Committee:** Energy, Utilities & Telecommunications
- **House Committee Passed:** 1/23/2014
- **Rule:** Modified-Structured

HB 715 - Jekyll Island-State Park Authority; powers and responsibilities; revise

- BILL SUMMARY: This bill provides definitions for "developed land" and "undeveloped land".

It also states that the Jekyll Island Authority (the authority) is empowered to convert no more than 1,675 acres of the total land area of Jekyll Island into developed land. The 1,597 acres of Jekyll Island that has been subdivided, leased, or improved according to the 2013 master plan as of January 1, 2014, is deemed as already converted to developed land.

Additionally, the bill sets out the only ways that undeveloped land shall be converted to developed land after July 1, 2014.

Those ways are as follows:

1. Twelve acres solely for the expansion of the existing campground;
2. Forty-six acres solely for public health, safety, or recreation. "Public recreation" excludes residential and commercial development; and
3. Twenty acres for unrestricted uses.

The authority shall not in any way sell or otherwise dispose of any riparian rights, and the Jekyll Island beach areas shall be kept free and open for public use.

The portion of the island lying south of 31 degrees, 1 minute, 34 seconds north latitude must be retained as undeveloped area, and the authority shall not enter into, renew, or extend any agreement or otherwise take any action regarding said portion of the island on or after May 30, 2007, except as otherwise provided. Improvements on the said portion of the island made prior to May 30, 2007 shall not require removal. Upon the expiration or termination of any lease of a single-family residence lot on said southern portion of the island, the authority may again lease such lot to the same or another lessee for a single-family or noncommercial purpose, or may set it aside for public use; but the lot shall not be further subdivided or leased for any multifamily residence or commercial use.

The Jekyll Island 4-H center and soccer complex may continue to be used as such under an extension or renewal of an existing lease or under a new lease.

This bill does not prohibit the construction and use of public bicycle trails, public nature trails, or public picnic areas on the southern portion of the island by the authority.

This subparagraph shall not be applied to impair the obligation of any valid contract entered into prior to May 30, 2007.

- **Authored By:** Rep. Mark Hamilton of the 24th
- **House Committee:** Natural Resources & Environment
- **House Committee Passed:** 1/23/2014

- **Rule:** Modified-Structured

SB 297 - Elections; campaign contributions; filing of notices of intention to accept campaign contributions by county/municipal candidates

- **BILL SUMMARY:** Senate Bill 297 makes some changes to local elections and reporting requirements by requiring candidates make the declaration of intention to accept campaign contributions to the local election official. It also changes the time frame for which an affidavit to not accept funds is valid from just a calendar year to an election cycle so that the reports do not have to be filed each year.

- **Authored By:** Sen. Butch Miller of the 49th

- **House Committee:** Rules

- **House Committee Passed:** 1/28/2014

- **Rule:** Modified-Structured

** The Rules Committee will next meet on Wednesday, January 29, at 11:30 AM, to set the Rules Calendar for the 13th Legislative Day.*

COMMITTEE ACTION REPORT

Interstate Cooperation

SB 206 - Interstate Cooperation; provide for delegation from the State of Georgia to certain conventions

- **BILL SUMMARY:** The Georgia Code is amended to add a new code section that provides for the appointment of seven delegates when an U.S. Article V convention is called where each state of the U.S. has one vote. Two delegates are appointed each by the Speaker of the House, President of the Senate, and the Governor. A final delegate shall be chosen by an affirmative vote by four out of the six appointed delegates.

No delegate is authorized to vote on an unauthorized Amendment to the U.S. Constitution and will take an oath not to do so. If a delegate votes on an unauthorized Amendment, the delegate may be removed by a majority vote by the other delegates.

Only when each state has one equal vote in such convention, will delegates be appointed. The term of the delegates shall be only for the duration of the particular Article V convention. This shall be effective immediately after passage for the 2013-2014 biennium by means of resolution for the purpose of proposing one or more amendments to the U.S. Constitution. If said resolution is not adopted, this Act will not be effective and will stand repealed as of January 1, 2015.

- **Authored By:** Sen. Bill Cowser of the 46th

- **Committee Action:** Do Pass

Judiciary

HB 829 - Certified process servers; change sunset and legislative review provisions

- **BILL SUMMARY:** House Bill 829 amends O.C.G.A. 9-11-4.1(k) by changing the repeal date from July 1, 2015 to 2020, unless continued by the General Assembly prior to that date.

- **Authored By:** Rep. Wendell Willard of the 51st

- **Committee Action:** Do Pass

Judiciary

HB 842 - Appeal and error; payment of costs and indigency affidavits; clarify provisions

- **BILL SUMMARY:** Amends Article 1 of Chapter 6 of Title 5 by creating an \$80.00 fee for criminal cases and \$300.00 for civil cases appealed to the Georgia Court of Appeals and the Supreme Court, unless at the time of appeal, the applicant is incarcerated, counsel for the applicant was appointed due to indigency, or affidavit of indigency is filed.

- **Authored By:** Rep. Wendell Willard of the 51st

- **Committee Action:** Do Pass

Judiciary

SB 125 - Liability of Owners/Occupier of Land; codify the duty of a possessor of land to a trespasser against harm

- BILL SUMMARY: Senate Bill 125 amends Article 1 of Chapter 3 of Title 51 by adding Code Section 51-3-3, which states that a possessor of land has no duty to a trespasser except to refrain of willful or wanton injury. However, the land possessor may still be liable to a child trespasser whos injuries where caused by an artifical condiiton on the land. Pursuant to subsection (c), states that this code section does not change the common law definition of attractive nuisance.

- **Authored By:** Sen. Jesse Stone of the 23rd

- **Committee Action:** Do Pass by Committee Substitute

Public Safety & Homeland Security

SB 23 - "Stacey Nicole English Act"; aid in the location of missing persons; incapacitated due to medical conditions; establish

- BILL SUMMARY: Senate bill 23 establishes the Stacey Nicole English Act. It prohibits law enforcement agencies from mandating a minimum waiting period for filing a missing persons report. The response to the report remains at the discretion of the law enforcement agency. The legislation defines a "medically endangered person" and adds such persons to the provisions of the Mattie's Call Act. In the event that a state-wide alert is activated, the law enforcement agencies are not prohibited from taking additional measures in response to the receipt of the missing persons report. Additional prohibition of a minimum waiting period for the activation of an alert or before a report may be given to the bureau is placed on the director of the Georgia Bureau of Investigation. The discretion to activate is left to the director, however. In determining whether to activate the alert, the director and the requesting law enforcement agency are required to take into account the known medical condition of the missing person if the medical condition could reasonably be considered a cause for the inability to locate the person. If such condition may be immediately life-threatening or incapacitating, the director or other authorized person and the requesting law enforcement official shall be authorized, within his or her discretion, to initiate and request, respectively, a state-wide endangered person advisory. Finally, the bill amends Code section 40-2-26 to require the commissioner to provide to a registration applicant an opportunity to designate an alternative emergency contact telephone number that shall be made available to a law enforcement officer making a vehicle tag inquiry in the course of conducting official law enforcement business.

- **Authored By:** Sen. Gail Davenport of the 44th

- **Committee Action:** Do Pass

Rules

SB 297 - Elections; campaign contributions; filing of notices of intention to accept campaign contributions by county/municipal candidates

- BILL SUMMARY: Senate Bill 297 makes some changes to local elections and reporting requirements by requiring candidates make the declaration of intention to accept campaign contributions to the local election official. It also changes the time frame for which an affidavit to not accept funds is valid from just a calendar year to an election cycle so that the reports do not have to be filed each year.

- **Authored By:** Sen. Butch Miller of the 49th

- **Committee Action:** Do Pass

** Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*